

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**MARK AARON HAYNIE, THE
CALGUNS FOUNDATION, INC., and THE
SECOND AMENDMENT FOUNDATION,**

Plaintiffs,

v.

**CITY OF PLEASANTON, CITY OF
PLEASANTON POLICE DEPARTMENT,
CALIFORNIA DEPARTMENT OF
JUSTICE, and DOES 1 TO 20,**

Defendants.

Case No. 10-cv-1255-SI

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE TO
PERMIT COMPLETION OF EARLY
NEUTRAL EVALUATION PROCESS**

Undersigned counsel report that they have been actively participating in the Early Neutral Evaluation process, but that additional time is needed to complete the ENE. To date, counsel have had multiple conference calls with the neutral evaluator to discuss the case, and have submitted one joint statement to the neutral. The neutral and counsel recently conducted a phone conference to set a further briefing schedule. After briefs are filed, it is anticipated that counsel will participate in an oral evaluation process with the neutral.

In the interest of conserving judicial resources as well as those of the litigants, counsel for the parties ask the that Case Management Conference set for October 1, 2010 be extended by 90 days to permit the Early Neutral Evaluation process to conclude. Undersigned counsel are

1 confident that the ENE process can be completed during that additional 90 day period. Counsel
2 have informed the neutral of their intention to seek this extension, and he has consented to it.

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4 SO STIPULATED.

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6 Dated: September 27, 2010

/s/ Ross C. Moody

Ross C. Moody
Deputy Attorney General
Counsel for Defendant, California
Department of Justice

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9 Dated: September 27, 2010

/s/ Donald E. J. Kilmer, Jr.

Donald E. J. Kilmer, Jr.
Counsel for Plaintiffs

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12 Pursuant to the Stipulation above, and good cause appearing, the Case Management
13 Conference set for October 1, 2010 shall be continued for 90 days.

14 IT IS SO ORDERED.

15
16 Dated: _____

The Honorable Susan Illston

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Haynie v. City of Pleasanton**

No.: **10-cv-1255-SI**

I declare:

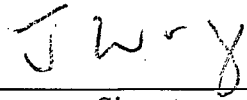
I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On September 27, 2010, I served the attached **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE TO PERMIT COMPLETION OF EARLY NEUTRAL EVALUATION PROCESS** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

James V. Fitzgerald
McNamara Dodge Ney Beatty Slattery,
Pfalzer, LLP
1211 Newell Avenue, 2nd Floor
Walnut Creek, CA 94596

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on September 27, 2010, at San Francisco, California.

J. Wong
Declarant



Signature